

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
NORTHWESTERN DIVISION**

United States of America,	)	
	)	
Plaintiff,	)	<b>ORDER</b>
	)	
vs.	)	
	)	
Stephen Marc O'Berry,	)	Case No. 4:05-cr-024
	)	
Defendant.	)	

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On December 15, 2005, a jury found the Defendant guilty on two counts of receipt of material involving the sexual exploitation of minors. The Court ordered that a Presentence Investigation Report be prepared by the Office of Probation and Pretrial Services. The Court also desires more information to assist in determining the mental condition of the Defendant and the appropriate sentence to be imposed. Pursuant to 18 U.S.C. § 3552(c), the Defendant is ordered to submit to a psychological evaluation and report, including a sex offender evaluation and risk assessment. The evaluation will be conducted by Dr. Ed Kehrwald, at his office located at 721 Memorial Highway, Bismarck, North Dakota.


Dr. Kerhwald is to assess intellectual, social, emotional functioning, and any mental disorder including a determination of the existence of any sexual and gender identity disorders. The evaluation should examine the Defendant's propensity to harm himself or others, and attempt to establish the motivation and reasoning behind the sexual offenses which the Defendant was charged and convicted. The evaluation should also include a recommendation for treatment.

Upon completion of the Psychological Evaluation, a written report is to be sent to Mike McGrath, U.S. Probation/Pretrial Services Office, P.O. Box 1264, Minot, ND 58702-1264, for

inclusion into the Presentence Investigation Report ordered by the Court. A copy of the evaluation and report, along with two (2) copies for the report of counsel, should also be sent to Chief Judge Daniel L. Hovland, United States District Court, P.O. Box 670, Bismarck, ND 58502-0670. Upon receipt of the report, the Court will distribute copies to counsel.

**IT IS SO ORDERED.**

Dated this 3<sup>rd</sup> day of March, 2006.



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Daniel L. Hovland, Chief Judge  
United States District Court